

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TOLEDO MACK SALES & SERVICE, INC.,	:	
	:	CIVIL ACTION
	:	
Plaintiff,	:	NO. 02-4373
	:	
v.	:	
	:	
MACK TRUCKS, INC.,	:	
	:	
Defendant.	:	

MACK TRUCKS, INC.,	:	
	:	
Counterclaim Plaintiff,	:	
	:	
v.	:	
	:	
TOLEDO MACK SALES & SERVICE, INC.,	:	
	:	
Counterclaim Defendant.	:	

ORDER

AND NOW, this 12th day of September, 2006, upon consideration of Defendant/Counterclaim Plaintiff Mack Trucks, Inc.'s Motion *in Limine* to strike the expert reports and to exclude the trial testimony of Donald Nichols (Docket No. 90), and all responses filed thereto, and after oral argument having been held, it is hereby **ORDERED** that said Motion is **DENIED WITHOUT PREJUDICE**.

BY THE COURT:

s/ Ronald L. Buckwalter, S. J.
RONALD L. BUCKWALTER, S.J.